

## **REMARKS**

Claims 21-37 are pending in the present application. The allowability of claims 21-37 has been withdrawn in light of new prior art. Claims 21-25, 29-34 and 37 stand rejected. Claims 26-28 and 35-36 are objected to. Applicants respectfully acknowledge and thank the Examiner for the indication of allowable subject matter, notably 26-28 and 35-36.

Claims 21, 24, 30 and 33 have been amended herein. Claims 23 and 32 have been canceled. No claims have been added.

### **I. Claim Rejections under 35 U.S.C. § 103**

Claims 21, 22, 24, 25, 29-31, 33-34 and 37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over International Patent Publication No. 03/063211 to Gengel, et al. (“Gengel”). Claims 23 and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gengal and further in view of European Patent Application No. EP1167068A1 to Gogami, et al. (“Gogami”). In particular, the Office Action states, “Gengel shows in Figures 12A and 12B, a radio frequency ID package/system comprising an antenna arrangement having a plurality of traces 1240 adapted to be attached to a plurality of RFID poles 1245 . . . when the RFID package is in any of a plurality of distinct positions with respect to the antenna arrangement.” Applicants respectfully traverse.

In order to render a claim as obvious, a reference or combination of references must teach or suggest every material element of that claim. Applicants respectfully submit that Gengel does not disclose or suggest an RFID package including the element, “whereby said plurality of exposed poles are configured such that at least two of said plurality of antenna traces can be directly and operatively attached to at least two of said plurality of exposed poles when said RFID package is in any of a plurality of distinct rotational positions with respect to said antenna arrangement,” as is presently claimed. Rather, Gengel teaches the

simple fabrication of elements on a substrate, such as an integrated circuit 1220, contact holes 1215, contact pads and conductive media 1240. Although the cited Figure 12A of Gengel does show a pair of similar conductive media 1240, nothing in the written description actually recites “poles” for use with the illustrated apparatus, such that any such poles that might be inherent to this apparatus cannot be assumed to be anything but ordinary. As such, nothing in Gengel explains or suggests how such poles could or should be configured such that the shown conductive media 1240 can be directly and operatively attached thereto when the overall package is in any of a plurality of distinct rotational positions with respect to the conductive media. Although Figure 12A of Gengel might appear to have some symmetry, Applicants respectfully submit that any identical functionality if the position were rotated 180 degrees cannot be assumed absent a specific teaching of Gengel to this effect. For example, the contacts of Gengel might require a specific connection, such as for positive and negative contact leads, such that a reversal of orientation would be inappropriate.

Nevertheless, in the interests of facilitation prosecution, Applicants have elected to amend the pending independent claims 21 and 30 to recite “at least three distinct rotational positions” rather than a simple plurality of distinct rotational positions. Applicants respectfully reserve the right to pursue the previous claims in a continuing or divisional application. Claims 23 and 32 have been cancelled as a result of this incorporation into the independent claims.

Assuming, *arguendo*, that Gengel might disclose an RFID package comprising an antenna arrangement having a plurality of traces adapted to be attached to a plurality of RFID poles when the RFID package is in any of a plurality of distinct positions with respect to the antenna arrangement, such a plurality of positions could only be two distinct positions at most (i.e., 0 and 180 degrees), since there are only two contact holes and two conductive media leads. Applicants respectfully submit that Gogami is inapposite to this claimed

rotational flexibility, and as such does not cure this deficiency of Gengel. Gogami teaches only of multiple leads or contacts to antenna, and does not teach or suggest that its RFID package can be rotated to multiple positions with respect to the antenna to which it is attached. Rather, Gogami illustrates and describes the exact type of prior art implementation that the present invention improves upon, that being the required and cumbersome precise pick-and-place method of attaching an RFID package to an associated antenna arrangement. Nothing in Gogami suggests that its RFID package can be at anything other than a single rotational orientation with respect to its antenna arrangement at the time of attachment. Because Gogami fails to cure this deficiency of Gengel, it is respectfully submitted that the rejections of claims 23 and 32 be withdrawn. As such, neither Gengel nor Gogami, either alone or in combination, renders any of the presently amended claims as unpatentable.

## **CONCLUSION**

Applicants respectfully submit that all claims are now in proper form and condition for patentability, and request a Notification of Allowance to that effect. It is believed that no fees are due at this time. Should any fee be required for any reason related to this document or application in general, however, then the Commissioner is hereby authorized to charge such fee or fees to Deposit Account No.50-0388, referencing Docket No. NSC1P276. The Examiner is respectfully requested to contact the undersigned attorney at the telephone number below with any questions or concerns relating to this document or application.

Respectfully Submitted,  
BEYER WEAVER & THOMAS, LLP

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/justinwhite/  
Justin A. White, Esq.  
Reg. No. 48,883

P.O. Box 70250  
Oakland, CA 94612-0250  
(650) 961-8300